IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY THIRD DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE GODA RAGHURAM

WRIT PETITION NO : 2218 of 1996

Between:
Dayam Elisha Subhakar, s/o D. Ahseervadam,
Lutheran High School, Rajahmundary,
E.G.Dist.

..... PETITIONER

AND

1 The Regional Joint Director of School Education,
Kakinada, E.G.Dist.
2 The Chairman Andhra Evangelical Lutheran Church, Board of Secondary Education, Guntur.
3 The correspondent,
Lutheran High School, Rajahmundary.
4 Sri V. RAjasekhar,
Shed Girls High School, Rajahmundary.
5 Pekala Sundari,
Shed Girls High School, Rajahmundary.
6 C. Rajeswari,
Lutheran High School, Bhimavaram,
W.G.Dist.
7 P. Amose Roy,
Lutheran High School, Alcot Gardens,
Rajahmundary.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction in the nature of writ of Mandamus declaring the action of the respondents 1 to 3 herein in not appointing the petitioner as Record Assistant as contrary to Rule 146 of the A.P. (Integrated) Education Rules 1966, Art VI section 4(g)(2) of the Bye-Laws of the Andhra Evangelical Lutheran church (AELC) and Sec.3 of the A.P. Recognized Private Educational Institutions (Control) Act, 1975 and further declare that the petitioner is entitled for continuous appointment as Record Assistant with effect from 31-12-89, the date on which his services were terminated and for all consequential benefits including seniority and monetary benefits

Counsel for the Petitioner: Mr. Ramakrishna, MR.P.GANGAIAH NAIDU

Counsel for the Respondent No.1: GP FOR SCHOOL EDUCATION

Counsel for the RespondentNo.4,5 and 7: Mr. P. Radha Krishna

Counsel for the Respondent No.6: Mr.A.V.Sesha Sai

For the Respondent Nos. 2 and 3: None appeared.

The Court made the following :

THE HONOURABLE SRI JUSTICE GODA RAGHURAM

WRIT PETITION No. 2218 of 1996

ORDER:

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Sri Rama Krishna, representing Mr. P. Gangaiah Naidu, learned Counsel for the petitioner submits that the cause in the writ petition does not survive for adjudication.

The Writ Petition is accordingly dismissed, as infructuous. No costs.

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23rd September, 2004

bud/pvsn

Copy to

1 The Regional Joint Director of School Education,
Kakinada, East Godavari District,

2. The Chairman, Andhra Evangelical Lutheran Church,
Board of Secondary Education, Guntur.

3The Correspondent, Lutheran High School, Rajahmundry,

4. 2 Copies to the Government Pleader for School Education,
High Court Buildings, High Court of Andhra Prudish,
Hyderabad.(OUT)

5. Two C.D.Copies.